

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TFW

In re Application of: D. Theron Van Hooser)
 Serial No.: 10/037,463)
 Filed: December 21, 2001)
 Confirmation No.: 4814)
 Title: Respiratory Circuit Support Arm)

Group Art Unit: 3743
 Examiner: Patel, Nihir B.
 Our Account No.: 04-1403
 Our Customer No.: 22827



Commissioner for Patents
 U.S. Patent and Trademark Office
 Post Office Box 1450
 Alexandria, VA 22313-1450

ELECTION OF SPECIES

This is a response/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is to be treated as the signature to the attachment in absence of a signature thereto.

Fee requirements (if any) have been calculated as shown below:

Claims remaining after amendment	Highest number previously paid for	Present Extra	Additional Fee
Total Effective Claims 28 minus 28	=	X \$50 =	\$.00
Independent Claims 3 minus 3	=	x \$200 =	\$.00
If amendment enters <u>proper</u> multiple dependent claim(s) into this application for <u>first</u> time, add \$290.00 (per application)			\$.00
Since Official Action set an <u>original</u> due date of _____			
PETITION is hereby made for an extension to cover the date this response is filed for which the requisite fee is enclosed (1 month \$120; 2 months \$450; 3 months \$1020; 4 months \$1590, 5 months \$2,160)			\$.00
If Terminal Disclaimer enclosed, add Rule 20(d) Official Fee (\$110.00)			\$.00
SUBTOTAL:			\$.00
If "small entity" verified statement filed [] previously, [] herewith, enter one-half (1/2) of subtotal and <u>subtract</u>			\$.00
TOTAL:			\$.00
Other: _____			\$.00
TOTAL FEE ENCLOSED:			\$.00

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.

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DORITY & MANNING
ATTORNEYS AT LAW, P.A.

By: Neal P. Pierotti Reg. No: 45,716 Date: May 16, 2005

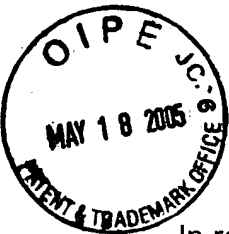
Signature: Neal P. Pierotti

I hereby certify that this correspondence and any referenced attachment and fee are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, Post Office Box 1450, Alexandria, VA 22313-1450, on May 16, 2005.

Denise Bulkeley

(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)



ATTORNEY DOCKET NO: BAL-107 (17456)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of D. Theron Van Hooser)	Examiner: Patel, Nihir B.
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Confirmation No: 4814)	Our Account No.: 22827
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For: Respiratory Circuit Support Arm)	

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Sir:

In this response to the Office Action mailed May 3, 2005, Applicant elects as required a single disclosed Species for prosecution on the merits, and respectfully requests consideration of the remarks that follow.

ELECTION OF SPECIES

In the Office Action, an Election of Species between Species 1 (Figs. 1-5) and Species 2 (Figs. 6-9) was required. Applicant hereby elects, without traverse, the disclosed Species 1 (Figs. 1-5) for initial prosecution. Species 1 (Figs. 1-5) have claims 1-13, 15-25, 27 and 28 readable thereon. Applicant submits that claims 1-6, 8-12, 15, 16, 18, 19, 21, 22, 25 and 27 are generic to both Species 1 and Species 2. Additionally, Figs. 12-15 are also readable upon Species 1. Applicant reserves the right to prosecute subsequently the Non-Elected Species without prejudice or disclaimer and to prosecute all claims in this application if a generic claim is ultimately allowed.

In view of the above Election, Applicant respectfully requests examination of the present application and the timely allowance of the pending claims. The Examiner is encouraged to contact the undersigned at the Examiner's convenience in regards to any questions concerning this matter, or if any additional information is needed.

Respectfully submitted,

DORITY & MANNING, P.A.

May 16, 2005
Date

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